

Town Plan & Zoning Commission Meeting
August 27, 2015
Council Chambers
800 Bloomfield Avenue, Bloomfield, CT
DRAFT MINUTES

In attendance: Berry Berson, Byron Lester, Dan Mara, Nicholas Panke, Abraham Ford, Jr., Alfred LeFebvre, and José Giner, Director of Planning

Chairman Barry Berson called the meeting to order at 7:01pm.

Acceptance of Minutes

Chairman Berson noted that there were no Minutes to approve since they had not been completed yet due to the Recording Secretary's resignation.

Agenda Items

2. Application of Ramhans, LLC for a Site Plan Revision to change a nonconforming use (banquet facility) to another nonconforming use (church) at 76 East Dudley Town Road, I-2 zone.

Harry Freeman represented Rahman's LLC and gave a history of the property which had previously been operated as a banquet facility with a liquor license. He summarized the proposed operation stating that the main activity would occur on Saturday when there were church services that lasted from sun up to sunset. There would also be occasional weeknight activity of 10-20 people for bible study. No changes were being proposed for the exterior. Mr. Freeman referenced the submitted floor plan, showing how the space would be utilized. He believes that the proposed use is less non-conforming to the Regulations than the currently approved use.

Commissioner Mara asked about the option to allow rentals to other groups on Sunday. Mr. Freeman replied that it would still be the same use since they would be renting out only for Sunday church services to other religious groups.

Chairman Berson asked about the parking situation. Mr. Freeman replied that there are 113 spaces available which would allow 339 congregants based on the Bloomfield Zoning Regulations.

Commissioner Ford asked what happens to the existing liquor license for the property. Mr. Freeman replied that it belongs to the current operator and that it would not be transferred to his clients.

Commissioner Panke asked if the occupancy met Fire Code maximums. Mr. Freeman replied that there was excess capacity based on the Fire Codes and that the Church would be required to put in fire sprinklers under the Code since it was changing the use.

Commissioner Panke asked Mr. Freeman to explain what was meant by "other church related programs" as stated in the cover letter. Pastor Charles Boampong replied that it would entail youth programs, funerals and other customary church related activities. There would not be any rentals available to the general public but to other church groups for worship related activities.

Commissioner Panke asked if renting to other groups would change the tax status of the applicant. Mr. Freeman replied that it would not but that they would have to comply with all IRS and State of Connecticut regulations regarding their taxable status in any case.

Commissioner Panke asked if they would require outside renters to provide proof of insurance. Mr. Freeman replied that that it was good business practice to ask for renters to provide their own insurance.

Chairman Berson asked about the level of activity proposed for the classrooms. Mr. Freeman replied that they would be used for smaller gatherings like bible study and church school – no regular school use was contemplated.

There being no further questions **Commissioner LeFebvre made a MOTION TO APPROVE** Application of Ramhans, LLC for a Site Plan Revision to change a nonconforming use (banquet facility) to another nonconforming use (church) at 76 East Dudley Town Road, I-2 zone, Ramhans, LLC, owner. This approval is subject to conformance with the referenced plans, as may be required to be modified, and the following conditions:

Referenced Plans:

"Site Plan Prepared for Southern New England Conference Association of Seventh Day Adventist, 76 East Dudley Town Road, Bloomfield, Connecticut", by Alford Associates, dated July 31, 2015.

"Proposed Floor Plan, Sheet A-1.1 -Bloomfield 7th Day Adventist Church" prepared by Crosskey Architects, dated August 5, 2015.

Conditions to be met prior to the signing of plans:

1. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns. A copy of this motion shall be placed on the final plans submitted for signing.

Conditions to be met prior to the issuance of permits:

2. Three sets of paper plans with any required changes shall be submitted for the Commission Secretary's signature.
3. A copy of the Special Permit shall be filed on the Land records by the owner of the property.

Conditions which must be met prior to the Issuance of a Certificate of Compliance:

4. No Certificate of Compliance or other final approval be issued until the Zoning Enforcement Officer has signed off on the final work.

General Conditions:

5. This approval is for the specific use and structure identified in the application. Any change in the nature of the use or the structure will require new approvals from the Bloomfield Town Plan and Zoning Commission.
6. This project shall be constructed and maintained in accordance with the referenced plans and representations made on the record, including the cover letter submitted with the application. Minor modifications to the approved plans may be allowed in accordance with the regulations, subject to staff review and approval.
7. All work associated with the construction of facilities as approved must be completed by August 27, 2020 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
8. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

Commissioner Lester seconded the motion which was approved unanimously.

3. Request by Ready Imaging, Inc. for a Sign Permit to allow a freestanding LED gas price sign at 985 Blue Hills Avenue, GWD zone.

4. Request by Ready Imaging, Inc. for a Sign permit to allow a freestanding LED gas price sign at 47 Jerome Avenue, BCD zone.

Al Whiting stated that he worked for Ready Imaging which was the contractor for Shell and Mobil in the area. He summarized both application in which they were replacing the existing static signs with digital signage that would only change when prices changed. There would be no change to the existing dimensions of the signs at both locations.

Commissioner LeFebvre asked how the signs would be changed. Mr. Whiting stated they would be changed remotely.

Commissioner Panke asked if the signs would remain the same height. Mr. Whiting stated there would be no change to the current configuration.

Commissioner Panke made a Motion, seconded by Commissioner Ford TO APPROVE the Request by Ready Imaging, Inc. for a Sign Permit to allow a freestanding LED gas price sign at 985 Blue Hills Avenue, GWD zone in accordance with the plans submitted and the representations made on the record.

The Motion passed unanimously.

Commissioner LeFebvre made a Motion, seconded by Commissioner Ford TO APPROVE the Request by Ready Imaging, Inc. for a Sign permit to allow a freestanding LED gas price sign at 47 Jerome Avenue, BCD zone in accordance with the plans submitted and the representations made on the record.

The Motion passed unanimously.

5. Request by Damion Gardner for a Special Permit to allow auto repair (general license) at 96 Granby Street, I-1 zone.

Commissioner Lester read the Legal Notice for the Public Hearing.

Damion Gardener summarized the proposal which would entail conducting general repairs at the subject property.

Chairman Berson asked if this was open to the public and how many bays would be utilized. Mr. Gardner stated that it would be open to the public with some contract work from the auto auction. He anticipates having two bays.

Director of Planning José Giner stated that Mr. Gardner had come in to clarify the location of parking spaces and the other uses that were present in the building. There was a revised plan in the file that indicted the revised spaces and the uses.

Commissioner Ford asked if there would be any cars for sale on the lot. Mr. Gardner replied that there would not be any sales.

Commissioner Mara asked if there would be any interior construction. Mr. Gardner replied that they would be installing lifts and an office.

Commissioner Mara asked if there would be any outside storage. Mr. Gardner replied that there would be no outside storage other than the occasional car waiting to be repaired. Commissioner Mara also asked about compliance with Fire safety. Mr. Gardner stated that he would have to provide all required containment and meet all the code requiremnts before he could obtain a license from the State Department of Motor Vehicles (DMV).

Chairman Berson asked if he would need to install an oil/water separator. Mr. Gardner did not believe that there was a floor drain in the building that would require that. He stated that most of the spills were minor and can be contained with Speedy Dry.

There being no further Commission questions or Public comments – ***Commissioner Panke made a motion, seconded by Commissioner Lester, to CLOSE THE PUBLIC HEARING. The Motion passed unanimously.***

Commissioner Mara made a MOTION TO APPROVE the request by Damion Gardner for a Special Permit to allow auto repair (general license) at 96 Granby Street, I-1 zone subject to the representations made on the record and conformance with the revised map on file. The motion was seconded by Commissioner Panke and passed unanimously.

6. Request by Infinity Group – Corey Edwards for a Special Permit to allow a medical office at 836 Park Avenue (39A & B Wintonbury Mall), BCD zone.

Commissioner Lester read the Legal Notice for the Public Hearing.

Vern Markham from Infinity Group summarized the application.

Barbara Kei stated that her husband, Dr. Steven Kei, would be the owner of the facility. She stated that this would be a walk-in type of urgent care medical facility that was needed in the Town Center. The facility would also be providing occupational medicine such as physicals for employment on behalf of contracted businesses.

Director of Planning José Giner summarized his memo.

Chairman Berson asked if there were any Public questions or comments.

Gwen Davis Farnham of 717 Bloomfield Ave. asked if there would be any affiliation with a hospital. Mrs. Kei stated that they were independent and that patients could choose which hospital to go to if needed.

Ms. Farnham asked if there would always be a licensed professional present. Mrs. Kei stated that there would always be either a Doctor or Physician's Assistant on site. She stated that they would be open seven days a week with an occasional ambulance coming to the facility.

Commissioner LeFebvre asked for a clarification as to where the space was located at the Wintonbury Mall and where the ambulance would park. Mrs. Kei indicated on a map where the unit was located. Dr. Steven Kei stated that there would not be an ambulance drop-off. Barbara Kei stated that there may be an occasional pick-up if the physician on duty felt that a patient needed immediate hospitalization. She stated that there was a loading area off the back of the unit that could be utilized in such emergencies.

Commissioner Ford asked how many employees there would be. Mrs. Kei replied 4-6 at any given time. Commissioner Ford asked when the Doctor comes in. Dr. Kei replied when the doors open there will be either a Doctor or a Physician's Assistant present.

Chairman Berson asked what the hours of operation would be. Mrs. Kei replied that Monday through Friday they would be open from 7:30 a.m. to 8:30 p.m. On the weekends they would be open from 9 a.m. to 3 p.m. They would only close on major holidays.

There being no further questions or Public comment Commissioner Mara made a MOTION to close the Public Hearing. Commissioner Panke seconded the motion which passed unanimously.

Commissioner Panke made a MOTION seconded by Commissioner Lester, TO APPROVE, the Application of Infinity Group – Corey Edwards for a Special Permit to allow a medical office at 836 Park Avenue (39A & B Wintonbury Mall), BCD zone, GECMC 2001-3 Bloomfield Retail LLC, owner. This approval is subject to conformance with the referenced plans, as may be required to be modified, and the following conditions:

Referenced Plans:

"Dr. Treatment Center, Bloomfield, CT", Sheet A1.3, by Infinity Group, dated 8/4/2015.

Conditions to be met prior to the signing of plans:

1. The plans shall be revised to show dimensions.
2. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns. A copy of this motion shall be placed on the final plans submitted for signing.

Conditions to be met prior to the issuance of permits:

3. Three sets of paper plans with any required changes shall be submitted for the Commission Secretary's signature.
4. A copy of the Special Permit shall be filed on the Land records by the owner of the property.

Conditions which must be met prior to the Issuance of a Certificate of Compliance:

5. No Certificate of Compliance or other final approval be issued until the Zoning Enforcement Officer has signed off on the final work.

General Conditions:

6. This approval is for the specific use and structure identified in the application. Any change in the nature of the use or the structure will require new approvals from the Bloomfield Town Plan and Zoning Commission.
7. This project shall be constructed and maintained in accordance with the referenced plans. Minor modifications to the approved plans may be allowed in accordance with the regulations, subject to staff review and approval.
8. All work associated with the construction of facilities as approved must be completed by August 20, 2020 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
9. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The Motion passed unanimously

7. Planner's Report.

Director of Planning José Giner reported the following administrative approvals:

- a. Request from R&D dynamics for a small building on their property located at 49 West Dudley Town Road.
- b. Changes to the Rear Loading Docks for Goodwill Enterprises which is taking over the Copaco Liquors store at Copaco Plaza located off Cottage Grove Road.

- c. Changes to the Site Plan approved at the July meeting consisting of re-location of Handicapped Parking Spaces and re-phasing of associated sidewalks at 11 Britton Drive.

8. Adjournment

Commissioner LeFebvre moved for adjournment at 10:55 pm., Commissioner Lester seconded the motion. The motion passed unanimously.

Byron Lester, TPZ Secretary
BL/jg